IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.936 of 2006
MANOJ KUMAR DAS
Versus
THE STATE OF BIHAR & ORS
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4. 4.8.2008. Heard the learned counsel for the petitioner.

This revision has been filed against the order of interim maintenance dated 17.8.2006 passed by Principal Judge, Family Court, Patna in Case No.115(M) of 2005. It appears that the court below has granted interim maintenance of Rs.5,000/- per month.

The submission of the learned counsel for the petitioner is that now the circumstances have changed. At the time of passing of the order, the petitioner was in service. However, now petitioner has retired and hence he is unable to pay such huge amount as interim maintenance to the opposite party no.2.

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Having regard to the facts and circumstances, the petitioner is directed to file a petition before the court below under section 127 of the Cr.P.C. for alteration of the maintenance amount in view of change of circumstances. In that event, the court below shall consider his prayer and pass appropriate order.

With this observation, this application stands disposed of.

(Ghanshyam Prasad)

N.H./